



Town Council Agenda Report

SUBJECT: Resolution

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA EXEMPTING LAND OWNED BY FLAMINGO ROAD CHURCH AT THE NORTHWEST CORNER OF FLAMINGO ROAD AND STIRLING ROAD FROM ANNEXING TO DAVIE SHOULD THE "SUNSHINE RANCHES" AREA BE ANNEXED INTO THE CORPORATE LIMITS OF DAVIE; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The Flamingo Road Church is located at the north west corner of Flamingo Road and Stirling Road. The existing Church building is located within unincorporated Broward County. Two other adjoining parcels are owned by the Flamingo Road Church and these properties are located within the corporate limits of Cooper City. The two sites within Cooper City are going to be used for parking to support the 2000 seat auditorium planned to be constructed on the main site. The request is for the Town of Davie to sign off on letting the property within the unincorporated area be annexed into Cooper City.

The area in question is part of the Sunshine Ranches area. HB 1907 adopted on May 30, 1997 provides for an election in May of 2000 for the people residing in the Sunshine Ranches area and the Southwest Ranches area to decide if their areas should be annexed into one of the surrounding communities or incorporate as a new community. The same legislation places a moratorium on any annexation or land use change within the Sunshine Ranches or Southwest Ranches areas until after the election. The Town of Davie is a choice for annexation as the Town Council adopted Resolution No. R-97-348 setting forth the intent to submit a proposal for annexation of the Sunshine Ranches. The City of Pembroke Pines also will be on the ballot as a choice for annexation. The property owner is asking the Town of Davie to indicate no objection to petitioning the delegation to allow this Church to be exempted from the area annexed as part of the Sunshine Ranches so the Church property can be annexed to Cooper City.

It is recommended to allow approval of the request to allow the Church property to be exempted from the area future annexation by the Town of Davie as a result of the election required by HB 1907. The balance of the Church property is already within Cooper City and allowing the balance of the property to annex to Cooper City will facilitate permitting and development of the Church site. Pembroke Pines has already notified the Church that the property can be omitted from future annexation by Pembroke Pines. The property will be tax exempt regardless of which community it is located within.

FISCAL IMPACT: Is appropriation required? no

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s): Proposed Resolution
Sept.10 and Oct.19, 1999 Letters From Flamingo Road Church Including Map
Resolution No. R-97-129 Supporting House Bill 1907 Providing For Sunshine
Ranches And Southwest Ranches Annexation Or Incorporation
Resolution No. R-97-348 Setting Forth Intent To Annex Sunshine Ranches
Oct. 7, 1999 Letter From Pembroke Pines City Manager To Church Indicating
Pembroke Pines Concurs With Request To Omit From Annexation

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA EXEMPTING LAND OWNED BY FLAMINGO ROAD CHURCH AT THE NORTHWEST CORNER OF FLAMINGO ROAD AND STIRLING ROAD FROM ANNEXING TO DAVIE SHOULD THE "SUNSHINE RANCHES" AREA BE ANNEXED INTO THE CORPORATE LIMITS OF DAVIE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, House Bill 1907 which became law on May 30, 1997 provides for a method of annexation or incorporation of the area described as the "Sunshine Ranches" and "Southwest Ranches" ; and

WHEREAS, H.B. 1907 placed a moratorium on any annexation or land use changes within the Sunshine Ranches and the Southwest Ranches areas until after the areas have either been incorporated into a new municipality or annexed into an existing municipality; and

WHEREAS, the Town of Davie adopted Resolution No. R-97- 348 which set forth the Town of Davie's intent to propose annexation of "Sunshine Ranches" into the corporate limits of the Town of Davie; and

WHEREAS, the Flamingo Road Church owns three parcels of property, two of which are located in the corporate limits of Cooper City with the third parcel within the unincorporated area; and

WHEREAS, the Flamingo Road Church has requested that the land which they own within the unincorporated area be annexed into Cooper City and exempted from the Town of Davie should the surrounding area be annexed to the Town of Davie in order to facilitate permitting and development; and

WHEREAS, the City of Pembroke Pines has approved the request to be omitted from any possible future Pembroke Pines annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That in order to facilitate permitting and development of the Flamingo Road Church, the land owned by the Flamingo Road Church within the unincorporated area located at the northwest corner of Stirling Road and Flamingo Road is to be exempted from the Town of Davie should the surrounding area be annexed to the Town of Davie.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1999.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 1999.



12401 Stirling Road
Ft. Lauderdale, FL 33330
(954) 434-1500 • Fax (954) 434-5433
frc@flamingoroad.org

October 19, 1999

Mr. Will Allen
Projects Administrator
Davie Town Hall
6591 SW 45th Street
Davie, Florida 33314

RE: Flamingo Road Church Annexation into Cooper City

Dear Mr. Allen:

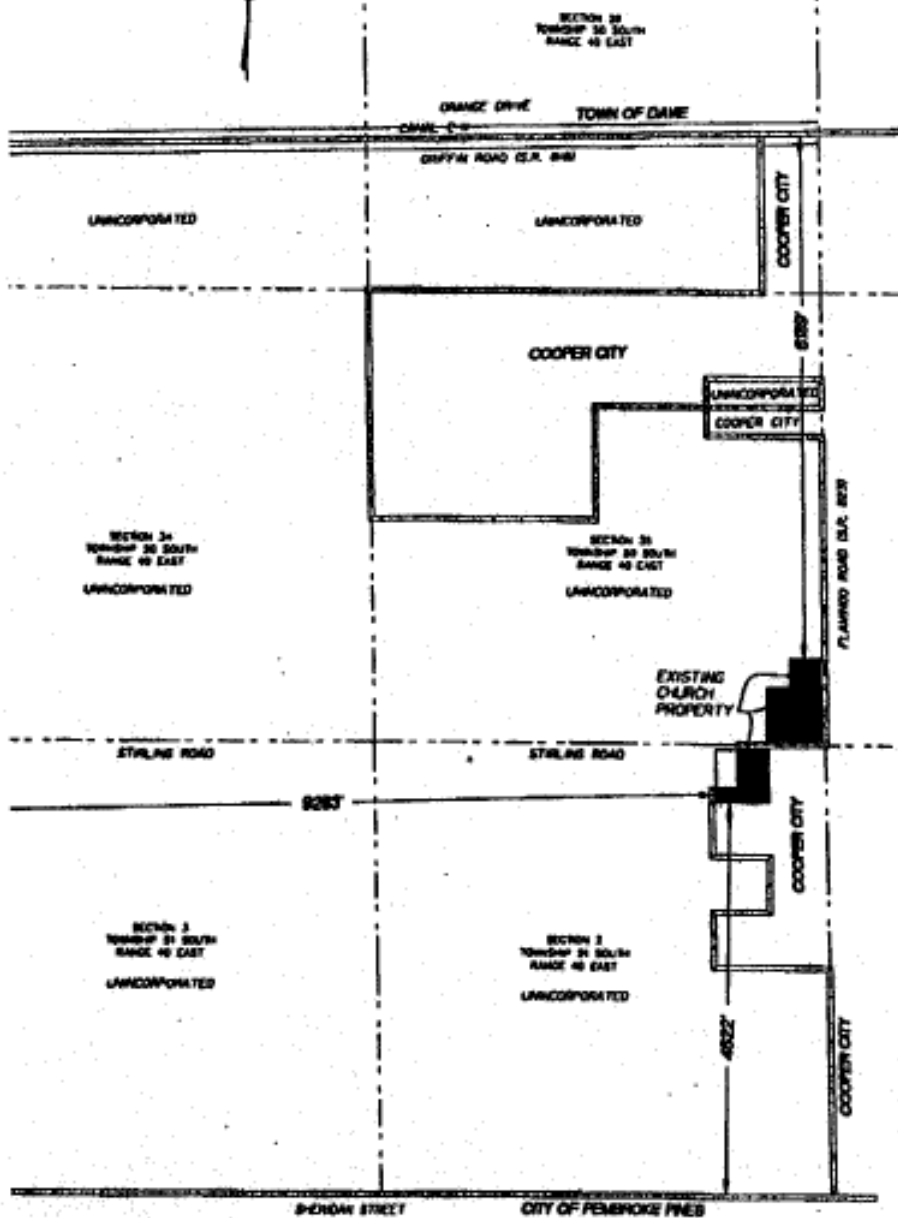
Enclosed is documentation supporting our request to annex into Cooper City. In short, we have two parcels of property in Cooper City and one parcel in Unincorporated Broward. In order to facilitate the construction of a new building we have been advised to try and annex into Cooper City. A sign off from Davie would help us. You can support this by placing us on your next Commission agenda. I am forwarding you all the previous correspondence. If necessary, feel free to contact our attorney, Emerson Allsworth at 954-762-3400. Thank you for your consideration in this matter.

Sincerely,

Debbie Wengert
Administrator

To honor God by leading people to become fully devoted followers of Jesus Christ -

APRIC SCALE
 0 500 1000
 (IN FEET)
 ACT = 1200 R.



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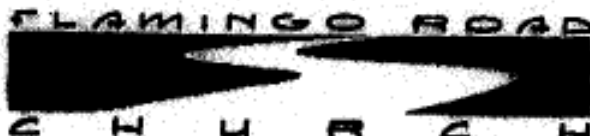
1111 BOWLING ROAD, SUITE 200
 WEST PALM BEACH, FLORIDA 33411
 (407) 833-1111 FAX (407) 833-1112
 E-MAIL: INFO@JANSEN-PAUL.COM

FLAMINGO ROAD BAPTIST CHURCH

NOTE: THIS SKETCH DOES NOT
 REPRESENT A BOUNDARY SURVEY.

PROJECT NO.
 840101

FILE NO.
 10-10-823



12401 Stirling Road
Ft. Lauderdale, FL 33330
(954) 434-1500 • Fax (954) 434-5433
frc@flamingoroad.org

September 10, 1999

Ms. Gail Reinfeld, City Manager
Town of Davie
6591 Orange Drive
Davie, Florida 33314

Dear Ms. Reinfeld:

We have been advised to contact your department concerning our future site plans. We are located on the northwest corner of Flamingo and Stirling roads. Our main site is located within the areas described as "Sunshine Ranches" in HB 1907 (1997). This House Bill placed a moratorium until March 2000, on any annexation or land use changes until after Sunshine Ranches and Southwest Ranches have either been incorporated into a new municipality or annexed into an existing municipality. It is our understanding that both the Town of Davie and the city of Pembroke Pines will be involved in this bid.

Currently we are in the planning process of constructing a 2000 seat auditorium for the purpose of worship. Our main site is located in Unincorporated Broward. We also own two parcels of property, which are zoned in Cooper City. One Cooper City parcel is located to our immediate north and connects to our main site. The other Cooper City parcel is located to the south of our main site. Parking to support our 2000 seat worship auditorium will be located on the Cooper City parcels. We have been urged to make every attempt to annex all of our property into Cooper City in order to facilitate our future construction needs.

We are currently working with Emerson Allsworth, P.A. who will try and go before the delegation in November asking permission for Flamingo Road Church to be exempted from whichever city wins the bid. We are fully aware that this will be a complicated process. Cooper City has already agreed in writing to taking us. However, we would also like your consent to proceed. Therefore, we would like to respectfully request a sign off from the Town of Davie, stating that you have no problem with our property being exempted.

We are sure that you probably have more questions, and we would like the opportunity to discuss this with you in more detail in the very near future. I can be reached at 954-434-1500. Thank you for your consideration in this matter.

Sincerely,


Neil Mayer
Executive Pastor

Cc: Emerson Allsworth, P.A.
Glen Pate & Associates, A.I.A., P.A.
Debbie Wengert / Administrative Coordinator / Flamingo Road Church
Mike Woolacy / Planning & Growth / Cooper City

To honor God by leading people to become fully devoted followers of Jesus Christ -

RESOLUTION NO. R-97-129

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA SUPPORTING SENATE BILL 2472 AND HOUSE BILL 1907, RELATING TO BROWARD COUNTY; PROVIDING FOR EXTENDING THE CORPORATE LIMITS OF THE CITIES OF PEMBROKE PINES, DAVIE, COOPER CITY, AND WESTON; PROVIDING FOR ANNEXATION OF THE UNINCORPORATED AREAS KNOWN AS "SOUTHWEST RANCHES" AND "SUNSHINE RANCHES" AND SURROUNDING AREAS; PROVIDING FOR INCORPORATION OF A NEW MUNICIPALITY; AS PRESENTED DURING THE 1997 LEGISLATIVE SESSION.

WHEREAS, Senate Bill 2472 and House Bill 1907 are being considered relating to Broward County; providing for extending the corporate limits of the Cities of Pembroke Pines, Davie, Cooper City, and Weston; providing for annexation of the unincorporated areas known as the "Southwest Ranches" and "Sunshine Ranches" and surrounding areas; providing for incorporation of a new municipality; and providing an effective date; and

WHEREAS, the Town of Davie supports this Act that enables the residents of the "Southwest Ranches" and "Sunshine Ranches" to review their options in terms of studying the effects of annexation into adjoining municipalities or incorporating into a new municipality and then making their choice by election; and

WHEREAS, the Town of Davie supports this Act that benefits the community and or the general public in southwest Broward County.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town of Davie supports adoption of Senate Bill 2472 and House Bill 1907 which relates to Broward County; providing for extending the corporate limits of Pembroke Pines, Davie, Cooper City, and Weston; providing for annexation of the unincorporated areas known as "Southwest Ranches" and "Sunshine Ranches" and surrounding areas; providing for incorporation of a new municipality; and providing for an effective date.

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 16th DAY OF APRIL, 1997


MAYOR/COUNCILMEMBER

ATTEST:


TOWN CLERK

APPROVED THIS 16th DAY OF APRIL, 1997

+{ }+ represents underlined; words underlined are additions

-{ }- represents stricken; words stricken are deletions

House Bill hb1907

Corresponding Bill Information

Bill as Printed

288-180A-97

HB 1907

A bill to be entitled

An act relating to Broward County; providing for extending the corporate limits of the Cities of Pembroke Pines, Davie, Cooper City, and Weston; providing for annexation of the unincorporated areas known as "Southwest Ranches" and "Sunshine Ranches" and surrounding areas; providing for incorporation of a new municipality; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

+{

Section 1. No later than November 3, 1997, the Cities of Pembroke Pines, Davie, and Weston may submit duly enacted resolutions to the Broward County Legislative Delegation, setting forth their intent for proposals for annexation of "Southwest Ranches," as described in section 5.)+ +{

Section 2. No later than November 3, 1997, the Cities of Pembroke Pines, Davie, and Cooper City may submit duly

enacted resolutions to the Broward County Legislative Delegation, setting forth their intent for proposals for annexation of "Sunshine Ranches," as described in section 10.)+ +{

Section 3. (1) No later than January 1, 1998, the Broward County Legislative Delegation shall direct a study of the area west of Flamingo Road, east of U.S. 27, south of Griffin Road, and north of Sheridan Street, excluding those areas within the Cities of Cooper City and Pembroke Pines. The study shall determine the effects of annexation into any municipality proposing an annexation in the studied areas, the

incorporation of any of the studied areas into a new municipality, or the deannexation of any of the studied areas from any existing municipality. The study shall also include a determination of the viability of a new municipality composed only of the areas of "Southwest Ranches" and "Sunshine Ranches" as described in sections 5 and 10. Further, the study shall determine the effects of annexation/deannexation/incorporation on the employees of Broward County and how to ameliorate same. This study shall be performed by an independent agency or educational institute not affected or associated with the proposed annexation as determined by the Legislative Delegation of Broward County. The cost of the study shall be borne equally by Broward

County, and each municipality which indicated its desire to annex "Southwest Ranches" or "Sunshine Ranches," as provided in this act. The study shall be completed no later than January 1, 1999.

(2) The residents of "Southwest Ranches," "Sunshine Ranches," and the participating municipalities shall have input as to who does the study and the parameters of said study. Broward County shall be responsible for the printing and distribution of the study to each household in "Southwest Ranches" and "Sunshine Ranches" no later than March 1, 1999. Further, Broward County shall be responsible for all notices for five meetings concerning presentation and discussions of the study to be held by homeowner associations in the "Southwest Ranches" and "Sunshine Ranches" areas.))+ +{

Section 4. No later than June 15, 1999, each municipality which enacted a resolution pursuant to sections 1 and 2 may inform the Broward County Legislative Delegation that it desires to proceed with its annexation proposal made

pursuant to sections 1 and 2, and that if a resolution as described is received by the Broward County Legislative Delegation no later than June 15, 1999, each municipality shall appear on the ballots as provided for in this act.))+ +{

Section 5. The legal description of "Southwest Ranches" is as follows:))+

on the property of said use, for as long as the use shall continue, and not be voluntarily abandoned.)+ +{

Section 17. Subsequent to the effective date of this act, no annexation by any municipality, nor change of land use designation nor change of zoning shall be effective in "Southwest Ranches" and "Sunshine Ranches" unless and until "Southwest Ranches" and "Sunshine Ranches" has either been incorporated into a new municipality or annexed into an existing municipality.)+ +{

Section 18. This act shall take effect upon becoming a law.

General Help

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Any comments or questions concerning On-Line Sunshine should be addressed to:
problems@mail.leg.state.fl.us

This information brought to you by the Systems Development group at SCRI, and the Legislative Data Center, a division of the Joint Legislative Management Committee of the Florida Legislature.

RESOLUTION NO. R-97-348

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SETTING FORTH DAVIE'S INTENT TO SUBMIT A PROPOSAL FOR ANNEXATION OF "SUNSHINE RANCHES" PURSUANT TO CHAPTER 97-371, LAWS OF FLORIDA (H.B. 1907) OF THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature adopted Chapter 97-371, Laws of Florida (H.B. 1907) (hereinafter "Act") which became law on the 30th day of May, 1997, which provided for a method of annexation or incorporation of the area described as "Sunshine Ranches" as is specifically described in the Act; and

WHEREAS, Section 2 of the Act provides that the Town of Davie may submit a duly enacted Resolution to the Broward County Legislative Delegation setting forth Davie's intent to submit proposals for annexation of "Sunshine Ranches"; and

WHEREAS, in accordance with Section 2 of the Act, the Town wishes to submit to the Broward County Legislative Delegation a Resolution proposing annexation of "Sunshine Ranches" as described in the Act into the corporate limits of the Town of Davie.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That, pursuant to Section 2 of the Act, the Town of Davie does hereby propose the extension of the corporate limits of the Town of Davie to include the "Sunshine Ranches" area as is described in Section 10 of the Act.

SECTION 2. A copy of this Resolution as duly enacted shall be submitted to the Broward County Legislative Delegation in accordance with Section 2 of the Act for purposes of setting forth the Town of Davie's intent for proposal of annexation of "Sunshine Ranches" into the corporate limits of the Town of Davie.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 15th DAY OF October, 1997.


MAYOR/COUNCILMEMBER

ATTEST:


TOWN CLERK

APPROVED THIS 15th DAY OF October, 1997.

